

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of JERRY D. SMITH and U.S. POSTAL SERVICE,  
NEW ORLEANS MAIN POST OFFICE, New Orleans, La.

*Docket No. 97-2294; Submitted on the Record;  
Issued June 21, 1999*

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DECISION and ORDER

Before MICHAEL J. WALSH, DAVID S. GERSON,  
A. PETER KANJORSKI

The issue is whether appellant has met her burden of proof in establishing that she has carpal tunnel syndrome causally related to factors of her employment.

On December 6, 1996 appellant, then a 44-year-old flat sorter machine clerk, filed a claim for carpal tunnel syndrome which she related to continual keying on the flat sorter machine. In a subsequent statement, appellant indicated that she would continually key on the flat sorter machine on weekdays, weekends and holidays. She commented that sometimes the ratio of workers was very low, which would require her to key for hours on the machine due to an inability to follow the regular rotation. Appellant indicated that she had been working at this job for five years.

In a May 21, 1997 decision, the Office of Workers' Compensation Programs denied appellant's claim on the grounds that she had not established that her condition was causally related to factors of her employment.

The Board finds that appellant has not met her burden of proof.

A person who claims benefits under the Federal Employees' Compensation Act<sup>1</sup> has the burden of establishing the essential elements of her claim. Appellant has the burden of establishing by reliable, probative and substantial evidence that her medical condition was causally related to a specific employment incident or to specific conditions of employment.<sup>2</sup> As part of such burden of proof, rationalized medical opinion evidence showing causal relation must be submitted.<sup>3</sup> The mere fact that a condition manifests itself or worsens during a period of

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<sup>1</sup> 5 U.S.C. §§ 8101-8193.

<sup>2</sup> *Margaret A. Donnelly*, 15 ECAB 40, 43 (1963).

<sup>3</sup> *Daniel R. Hickman*, 34 ECAB 1220, 1223 (1983).

employment does not raise an inference of causal relationship between the condition and the employment.<sup>4</sup> Such a relationship must be shown by rationalized medical evidence of causal relation based upon a specific and accurate history of employment incidents or conditions which are alleged to have caused or exacerbated a disability.<sup>5</sup>

In a February 6, 1997 report, Dr. Barry Munn, an orthopedic surgeon, indicated that appellant was seen for pain in the right wrist and paresthesia. Dr. Munn stated that the history highly suggestive of carpal tunnel syndrome including the numbness and the paresthesia in the median nerve distribution and pain and numbness while keying. He noted that on physical examination appellant did not have the classic findings for the Tinel's or Phalen's test but he commented that the tests were not 100 percent specific or sensitive. Dr. Munn reported that appellant would not have surgery as of the time of the examination so a nerve conduction study would not be performed. Dr. Munn stated that given appellant's improvement with splinting and medication, he would make the presumptive diagnosis of carpal tunnel syndrome and would recommend decreasing activities that would subject the wrist to repetitive stress.

Dr. Munn diagnosed carpal tunnel syndrome, related appellant's symptoms to her work in keying and recommended that she avoid repetitive stress of the wrist. He indicated that while appellant did not have the classic response to the Tinel's and Phalen's tests, these tests were not always diagnostic of carpal tunnel syndrome. However, Dr. Munn did not provide a detailed, physiological description on how appellant's employment duties would cause carpal tunnel syndrome and how the condition could be diagnosed in the absence of positive tests or nerve conduction studies. His report therefore has limited probative value and is insufficient to sustain appellant's burden of proof.

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<sup>4</sup> *Juanita Rogers*, 34 ECAB 544, 546 (1983).

<sup>5</sup> *Edgar L. Colley*, 34 ECAB 1691, 1696 (1983).

The decision of the Office of Workers' Compensation Programs dated May 21, 1997 is hereby affirmed.

Dated, Washington, D.C.  
June 21, 1999

Michael J. Walsh  
Chairman

David S. Gerson  
Member

A. Peter Kanjorski  
Alternate Member